Office of The Ombudsman

Privacy Policy Statement

1. Statement of Policy

1.1 The protection of privacy in relation to personal data is the concern of every person in the Office of The Ombudsman. We respect personal data privacy and are committed to fully implementing and complying with the data protection principles and all relevant provisions under the Personal Data (Privacy) Ordinance and The Ombudsman Ordinance.

1.2 The Deputy Ombudsman, assisted by the Chief Manager, oversees the compliance with the requirements in respect of personal data held by the Office and the overall management of personal data in the Office.

2. Statement of Practice

Collection of Personal Data

2.1 When we collect personal data from individuals, we will provide them with a Personal Information Collection Statement on or before the collection in an appropriate format and manner (e.g. in the same paper form or web page that collects the personal data).

Kinds of Personal Data Held

2.2 Three broad categories of personal data are held in the Office. They are personal data contained in:

(1) **Complaint and investigation records**, which include records containing information supplied by enquirers, complainants and organisations under complaint and collected in connection with enquiries, complaints, investigations and related activities under the relevant provisions of The Ombudsman Ordinance.

(2) **Personnel records**, which include job applications, personal details of staff of the Office, job particulars, details of salary, payments, benefits, training records, performance appraisals and disciplinary matters.

(3) **Other records**, which include administration files, personal data provided to the Office in relation to external relations programmes, procurement of stores and equipment and consultancy services.

Main Purposes of Keeping Personal Data

2.3 The purposes for keeping the above personal data are as follows:

(1) **Complaint and investigation records** – for carrying out the statutory functions of The Ombudsman, including responding to enquiries and complaints, conducting inquiries, mediation and investigations, and taking follow-up action on recommendations made to organisations under complaint.

(2) **Personnel records** – for human resources management purposes, including such matters as employees' appointment, benefits administration, training and development, performance appraisal and discipline.

(3) **Other records** – for various purposes which vary according to the nature of the record, such as administration of the office functions and activities, seeking advice on policy or operational matters, procurement of stores and equipment and acquisition of services.

Protection Measures

2.4 This Office takes appropriate steps to protect the personal data we hold against loss, unauthorised access, use, modification or disclosure.

Retention

2.5 This Office maintains and executes retention policies of records containing personal data to ensure personal data is not kept longer than is necessary

for the fulfillment of the purpose for which the data is or is to be used. Different retention periods apply to the various kinds of personal data collected and held by the Office.

Disclosure of Personal Data

2.6 Complainants are required to give consent to The Ombudsman copying their complaints and any other information they provide, including their personal data, to any party concerned for the purpose of processing their complaints; and consent to any party concerned providing the complainants' personal and other relevant information to The Ombudsman to facilitate this Office's processing of their complaints.

2.7 The personal data collected for recruitment and employment may be provided to agencies or organisations authorised to process the information for purposes relating to recruitment by and employment with The Ombudsman, including qualifications assessment, medical examination, employer reference and integrity checking, medical and life insurance coverage, as may be necessary.

2.8 The personal data collected by this Office in the performance of our statutory functions may be disclosed to agencies or organisations who are authorised to receive information relating to law enforcement or prosecution.

Data Access and Correction

2.9 Requests for access to personal data should be made by completing the form "**Application for Access to Information**" (available at the official website and Reception Counter of the Office) and addressed to the Chief Manager of the Office:

Address : Office of The Ombudsman
30/F, China Merchants Tower, Shun Tak Centre
168-200 Connaught Road Central, Hong Kong
Fax no. : 2882 8149
Email : enquiry@ombudsman.hk

Requests for correction of personal data should be made in writing to the Chief Manager of the Office.

2.10 Under section 15(1) of The Ombudsman Ordinance, The Ombudsman and her staff shall maintain secrecy in respect of all matters that arise from any investigation or complaint made to The Ombudsman and come to their actual knowledge in the exercise of their functions. In general, complainants can request access to the following information of their own cases:

(1) information previously provided by the complainant to this Office; and

(2) information which the Office has previously provided to the complainant.

2.11 This Office may refuse to comply with a data access request in the circumstances specified in section 20 and Part 8 of the Personal Data (Privacy) Ordinance.

2.12 All requests will be promptly attended to and the response will be made no later than 40 days after its receipt. Where a request is refused, the requester will be advised in writing of the refusal and the reason for refusal.

2.13 A fee is chargeable by the Office for complying with a data access request. Charges are subject to revision from time to time and will be announced in the official website and displayed at the Reception Counter of the Office. The data requested will not be released until after the requisite payment has been made.

2.14 Any person who believes that the Office has failed to properly handle his/her access or correction request may ask The Ombudsman in writing to review the request by providing supporting information and arguments.

April 2025